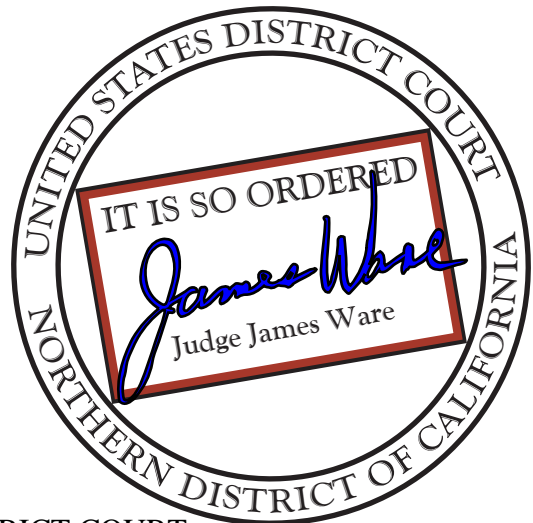


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13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 SAN JOSE DIVISION

16 EQUAL EMPLOYMENT
17 OPPORTUNITY COMMISSION,
18
19 Plaintiff,
20
21 v.
22
23 NOVELLUS SYSTEMS, INC.,
24
25 Defendant.

Case No. 07-cv-4787 JW (RS)

**NOTICE OF WITHDRAWAL OF
DEFENDANT'S AMENDED NOTICE OF
MOTION AND MOTION TO DISMISS
[FRCP 12 (b)(6)] OR, ALTERNATIVELY,
FOR A MORE DEFINITE STATEMENT
[FRCP 12(e)]**

26 TO ALL PARTIES AND THE CLERK OF THE COURT:

27 Because Plaintiff filed an Amended Complaint on January 10, 2008, Defendant
28 Novellus Systems, Inc. hereby withdraws the Notice of Motion and Motion to Dismiss filed on
November 21, 2007.

Dated: January 16, 2008

/s/

JOHN C. KLOOSTERMAN
LITTLER MENDELSON
A Professional Corporation
Attorneys for Defendant
NOVELLUS SYSTEMS, INC.

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NOTICE OF WITHDRAWAL OF MOTION
TO DISMISS [FRCP 12(b)(6)]

C07-4787 JW (RS)